

Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, DC 20554

In the Matter of)
)
Telephone Number Portability) CC Docket No. 95-116

**PETITION FOR EXTENSION OF TIME OF
U S WEST COMMUNICATIONS, INC.**

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March 2, 1998

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SUMMARY

USWC¹ hereby requests an extension of time to accomplish the deployment of LNP in its region for Phases I, II, III and IV. Because of Perot Systems, Inc.'s repeated contractual breaches and its failure to provide a NPAC/SMS that met technical and performance standards, the Western Region LLC, of which USWC is a member, terminated its contract with Perot on February 10, 1998. On February 13, 1998, the Western Region LLC entered into a contract with Lockheed-Martin for the delivery of an NPAC/SMS by May 11, 1998.

Because of this delay, USWC will not be able to meet its Phase I completion date of March 31, 1998. Based on the May 11 availability of the NPAC/SMS from Lockheed-Martin, USWC plans to begin Phase I testing by May 18, 1998 and complete it by July 17, 1998. As a result of this delay, Phases II, II and IV will also slip. These slips will range from 33 days to 108 days from the most recent schedule. However, USWC does plan to have all five Phases of deployment completed by December 31, 1998.

USWC has two basic rationales to support its extensive test plan. First, the company needs to conduct the same kind of basic testing in each of its three regions (former BOC territories) because each region has its own unique set of OSSs with which the NPAC/SMS must interface. Because each set of OSSs was developed by a different one of USWC's former BOCs, testing with one set of systems does not demonstrate that a successful interface will occur with either of the other sets of

¹ All abbreviations and acronyms are defined in the sections that follow.

systems. Second, USWC has limited personnel resources with the expertise needed to conduct these tests, thus the most expedient way to use these resources is to conduct the tests in one former BOC region at a time, rather than attempting to conduct simultaneous testing in two or three regions.

If the Commission grants this Petition for Extension of Time, the completion times for Phases I, II, III and IV will be extended for periods that run from 108 days to 33 days. This extension requested by USWC will permit USWC to conduct the appropriate level of testing, with experienced personnel, to ensure that implementation in each Phase is successful.

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Telephone Number Portability) CC Docket No. 95-116

TO: The Common Carrier Bureau

I. DUE TO PEROT SYSTEMS, INC.'S REPEATED CONTRACTUAL BREACHES, ITS FAILURE TO PROVIDE A NUMBER PORTABILITY ADMINISTRATION CENTER SERVICE MANAGEMENT SYSTEM ("NPAC/SMS") THAT COULD PERFORM TO REQUIRED TECHNICAL AND PERFORMANCE STANDARDS, AND THE CHANGE OF NPAC/SMS VENDORS TO LOCKHEED-MARTIN, U S WEST COMMUNICATIONS, INC. WILL REQUIRE AN EXTENSION OF TIME TO DEPLOY LOCAL NUMBER PORTABILITY

¹ See Letter to A. Richard Metzger, Jr., Chief, Common Carrier Bureau, Federal Communications Commission, from Alan C. Hasselwander, Chairman, North American Numbering Council, dated Feb. 20, 1998.

² The Commission has described the NPAC/SMS as “a hardware and software platform that will contain the database of information required to effect the porting

13, 1998, the Western Region LLC (of which USWC is a member) entered into a contract with Lockheed-Martin for the delivery of an NPAC/SMS.

Because of the delays attendant to the numerous Perot breaches, the time necessary to renegotiate the vendor contract for the Lockheed-Martin NPAC/SMS, and the expectation that a production-ready NPAC/SMS will not be available until May 11, 1998, USWC will require a brief extension of time to fulfill the Commission's aggressive time mandates regarding the deployment of LNP in its territory.

Over and above the delays attendant to the switch of vendors, the most recently reviewed Lockheed-Martin Project Plan makes clear that USWC will be unable to complete Phase I of LNP deployment by March 31, 1998. Our current belief is that Phase I will be completed by July 17, 1998. The slippage with respect to Phase I also means that USWC will require an extension with respect to other Phases of LNP deployment as well (specifically Phases II through IV).

As USWC's schedule, outlined below, demonstrates, USWC is asking for 67 days from the delivery of a production ready NPAC/SMS to complete Phase I; 28

of telephone numbers. In general, the [NPAC/SMS] will receive customer information from both the old and new service providers, validate the information received, and download the new routing information when an 'activate' message is received indicating that the customer has been physically connected to the new service provider's network. The [NPAC/SMS] will contain a record of all ported numbers and a history file of all transactions relating to the porting of a number. The [NPAC/SMS] will also provide audit functionality and the ability to transmit routing information to service providers to maintain synchronization of the service providers' network elements that support portability." In the Matter of Telephone Number Portability, Second Report and Order, 12 FCC Rcd. 12281, 12288 n.31 (1997) ("Second Report and Order").

days after the completion of Phase I to complete Phase II; 38 days after the completion of Phase II to complete Phase III; 42 days after the completion of Phase III to complete Phase IV. Because we currently believe that Phase V will complete on schedule, under the Commission's current mandates, as a strict procedural matter an extension of time with respect to Phase V is not necessary, at this time.³

II. THE REGULATORY BACKGROUND ASSOCIATED WITH LNP ADMINISTRATORS, LIMITED LIABILITY CORPORATIONS, AND THE PROVIDERS OF NPAC/SMSs

A. Regional Databases and Their Administration

In the Commission's First Report and Order, it found that an LNP "architecture that uses regionally-deployed databases best serves the public interest," because such an architecture would facilitate the ability of local exchange carriers ("LEC") to provide LNP. In large part, this conclusion was based on the fact that the distance that carrier routing information would need to be transmitted would be reduced where regional databases were utilized, leading to concomitant cost reductions.⁴ Furthermore, such architecture would reduce the burden on

³ Should USWC's proposed schedule prove to be too aggressive, or should there be material problems in implementing prior Phases, USWC would need to seek an extension with respect to Phase V. At that time, we also expect we would seek an extension of the date when carriers can make Bona Fide Requests ("BFR") for LNP from January 1, 1999 until the first day after the last date included in the Phase V implementation. Such a change would be consistent with the Commission's prior establishment of January 1, 1999 date for BFRs, i.e., the first date after the originally-expected final deployment date for Phase V of December 31, 1998, as well as with the policy reasons for establishing a BFR process in the first instance.

⁴ In the Matter of Telephone Number Portability, First Report and Order and Further Notice of Proposed Rulemaking, 11 FCC Rcd. 8352, 8399-8400 ¶ 91 (1996) ("First Report and Order").

carriers of having to deploy databases over various geographic areas.⁵

The Commission further determined that, based on statutory requirements as well as efficiency and non-discrimination considerations, the administration of these databases was best left to “one or more neutral third parties.”⁶ The Commission directed the North American Numbering Council (“NANC”)⁷ to select one or more independent, non-governmental entities to manage the LNP regional databases.⁸ As a part of the neutral third-party selection process, the NANC was also to make determinations about the geographic coverage of the regional databases, the technical interoperability and operational standards, the user interfaces between telecommunications carriers and the selected administration entities, and the network interfaces between the SMS and the downstream databases.⁹

B. The Selection of Regional Database Administrators

In its Second Report and Order, the Commission adopted the NANC’s recommendations that there be seven regional LNP databases, coinciding with the boundaries of the seven original Bell Operating Company (“BOC”) regions and that Lockheed-Martin and Perot serve as administrators for the databases.

⁵ Id.

⁶ Id. at 8400-01 ¶ 92.

⁷ “The fundamental purpose of the NANC is to act as an oversight committee with the technical and operational expertise to advise the Commission on numbering issues.” Id. at 8401 ¶ 93, citing to In the Matter of Administration of the North American Numbering Plan, Report and Order, 11 FCC Rcd. 2588, 2609 (1995).

⁸ First Report and Order, 11 FCC Rcd. at 8401 ¶ 93.

⁹ Id. at 8402-03 ¶ 95.

Additionally, the Commission adopted, on an interim basis only, the NANC's recommendation that the regional LLCs,¹⁰ already established in each of the original BOC regions, manage and oversee the LNP administrators.¹¹

In its Second Report and Order, the Commission adopted "the NANC's recommendation that Lockheed Martin serve as [LNP] database administrator for the Northeast, Mid-Atlantic, Midwest and Southwest regions, and that Perot Systems serve as the [LNP] database administrator for the Southeast, Western and West Coast regions."¹² Even more specifically, the Commission held that "the criteria utilized by the NANC in reviewing and evaluating the selection process employed by the various service providers at the regional level were sufficient to ensure that the [LNP] database administrators ultimately recommended meet the Commission's requirements."¹³

Upon the identification of approved potential LNP database administrators, LLCs began negotiation of master contracts.¹⁴ These contracts "set the terms and

¹⁰ For a general description of the operation of, and participation in, LLCs, see Second Report and Order, 12 FCC Rcd. at 12334-337 ¶¶ 94-98, 12348 ¶ 121 and references in nn.263-83. The Western Region LLC was formed on Jan. 24, 1996.

¹¹ Id. at 12283-284 ¶ 3, 12296-297 ¶ 21, 12298 ¶ 25.

¹² Id. at 12303 ¶ 33.

¹³ Id. While neither the NANC nor the Commission specifically were required to resolve the policy matter of whether two LNP database administrators were better than one (since the facts as presented and the NANC recommendation included two administrators), the Commission did observe that there were clear advantages in having two LNP database administrators (id. at 12306 ¶ 38), with respect to cost-effectiveness and reliability in the provision of NPAC services.

¹⁴ Id. at 12299 ¶ 27. And see id. n.84, where the Commission noted the NANC's recommendation that service providers, rather than LLCs, handle most aspects of the selection of LNP administrators until the contracting state, "at which point the

conditions for individual ‘user agreements’ that would be executed by the [LNP] database administrator and each carrier that would use the regional database.”¹⁵

The LLCs were also charged, at least on an interim basis, with the obligation for immediate oversight of the LNP database administrators.¹⁶ The Commission believed that “[b]ecause the LLCs were responsible for negotiating the master contracts with their respective [LNP] administrators, each LLC [was] the entity with the greatest expertise regarding the structure and operation of the database for its region.”¹⁷

III. BREACHES OF THE MASTER/AMENDED CONTRACTS

The Western Region LLC did negotiate a master agreement with Perot. That agreement addressed, among other things, Test Environment Preparation, Interoperability testing and Turn-Up testing. Perot breached its agreement with respect to all these material matters, failing to live up to any of its proffered project plans, all of which were closely monitored by both the Western Region LLC and

LLCs became active.” The “master contract would govern the obligations and rights of the parties and establish the conditions for the provision of [LNP] data to all utilizing carriers,” quoting in part from the NANC *Working Group Report* at Section 4.2.4.

¹⁵ Second Report and Order, 12 FCC Rcd. at 12299 ¶ 27, 12335 ¶ 95.

¹⁶ Id. at 12346 ¶ 117.

¹⁷ Id. Since this decision, the Commission has adopted further recommendations of the NANC and endorsed Lockheed-Martin as the national North American Numbering Plan Administrator (“NANPA”). See In the Matters of Administration of the North American Numbering Plan, Toll Free Service Access Codes, CC Docket Nos. 92-237 and 95-155, Third Report and Order and Third Report and Order, rel. Oct. 9, 1997 ¶ 1.

the affected specific carriers.¹⁸

It became apparent in the December, 1997-January, 1998 timeframe that Perot -- who had missed its original contractual obligation to produce a production-ready NPAC/SMS by October 1, 1997, as well as its subsequent commitment to have such an NPAC/SMS available by December 15 -- would be unable to deliver a production-ready NPAC/SMS in time for the Western Region affected carriers to meet the Commission's mandated timeline. While there was an independent audit finding that, given time, Perot might well be able to produce such an NPAC/SMS,¹⁹ it was determined that enough time had already been expended in pursuit of a satisfactory Perot NPAC/SMS and that a change of vendor should occur.

A change of vendor has occurred, with the Western Region LLC voting to proceed with a contract with Lockheed-Martin for a production-ready NPAC/SMS to be available May 11, 1998. At the point at which a production-ready NPAC/SMS is

¹⁸ USWC was greatly concerned with Perot delays that occurred quite early in the stages of the project, fearing that such could suggest that the original contractual October 1, 1997 performance date for acceptance of the NPAC/SMS was in jeopardy. USWC's Tracie Muesing, then Vice President -- Mass Market and Operations, communicated with John Bavis, Perot Account Executive, on July 9, 1997 to express USWC's commitment to meet the Commission-mandated dates and to reinforce USWC's expectations of Perot that it meet the dates agreed upon in the contract. Again on August 14, 1997, Ms. Muesing, sent a letter to Mr. Bavis, informing him that USWC believed Perot was in breach of the contract. She **again** requested a plan identifying how Perot intended to meet the October 1, 1997 performance date.

¹⁹ On January 8, 1998, USWC hosted a meeting where specifics of an audit done by the sente Corporation regarding Perot's progress on a production-ready NPAC/SMS were disclosed and discussed. The sente audit identified several areas of risk involving Perot's organizational structure, sufficiency of resources, technical architecture, documentation, and project management processes. However, sente did conclude that Perot's NPAC/SMS was viable, progressing and could eventually yield a stable and reliable product.

made available, USWC can begin live carrier to carrier testing of the NPAC/SMS and the deployment of LNP, according to a phased-in schedule.

IV. THE INSTANT FILING DEMONSTRATES SOUND GROUNDS FOR GRANTING AN EXTENSION UNDER 47 SECTION 52.23(d), AS WELL AS "GOOD CAUSE" UNDER A MORE TRADITIONAL WAIVER ANALYSIS -- GIVEN THAT THE NEED FOR THE ADDITIONAL TIME STEMS FROM CIRCUMSTANCES BEYOND THE CONTROL OF THE WESTERN REGION LLC OR USWC, THE LNP DEPLOYMENT DATES SHOULD BE EXTENDED

Under 47 C.F.R. Section 52.23(d), the Common Carrier Bureau ("Bureau") has delegated authority to waive any of the dates in the implementation schedule for LNP "to ensure the efficient development of number portability" for a period not to exceed 9 months.²⁰ USWC believes that the underlying facts associated with the Perot breaches and the change of NPAC/SMS vendor to Lockheed-Martin provide substantial grounds on which to grant waivers of LNP deployment in the Western Region. Certainly, the change of vendor to Lockheed-Martin was reasonable and prudent such that it "ensure[s] the efficient development of number portability" in a more predictable and reliable timeframe than would be the case had the Western Region LLC attempted to continue its contractual relationship with Perot. Thus, under Section 52.23(d), the Bureau should grant the instant Petition for Extension of time.

Additionally, however, USWC believes that the instant Petition also demonstrates "good cause" for such an extension/waiver (under the more traditional

²⁰ 47 C.F.R. § 52.23(d).

waiver analysis).²¹ An applicant for a waiver must demonstrate that special circumstances warrant a deviation from the general rule and that such deviation will serve the public interest.²²

The Commission has recognized that the unavailability of a product from a manufacturer is an appropriate ground for finding good cause. For example, the Bureau recently granted waivers to various small LECs in connection with the conversion to 4-digit Carrier Identification Code ("CIC") implementation. In those waivers, the Bureau recognized that the products these companies needed to accomplish the upgrades to their individual networks were not readily available from switch manufacturers, and that was going to cause the companies a delay in meeting the Commission-mandated schedule.²³ Similarly, when carriers were attempting to implement Originating Line Screening ("OLS") Services, vendor delays (which included system/software problems identified during on-line testing) were held to constitute good cause to support an extension of time.²⁴

²¹ 47 C.F.R. § 1.3.

²² Northeast Cellular Telephone Co. v. FCC, 897 F.2d 1164, 1166 (D.C. Cir. 1990); WAIT Radio v. FCC, 418 F.2d 1153, 1158 (D.C. Cir. 1969), cert. denied, 409 U. S. 1027 (1972).

²³ See, e.g., Clarks Telecommunications Co., 1997 FCC LEXIS 6700, rel. Dec. 3, 1997; Cuba City Telephone Exchange Company, 1997 FCC LEXIS 7018, rel. Dec. 15, 1997; Order, DA 97-2691, rel. Dec. 24, 1997; Frontier Communications of Lakeshore, Inc., 1997 FCC LEXIS 7223, rel. Dec. 31, 1997; MoKan Dial, Inc., 1998 FCC LEXIS 80, rel. Jan. 8, 1998.

²⁴ See In the Matter of Policies and Rules Concerning Operator Service Access and Pay Telephone Compensation Petitions Pertaining to Originating Line Screening Services, Memorandum Opinion and Order, 5 Comm. Reg. 1295, 1298-299 ¶ 7 (1996) (concluding that temporary waivers, granting extensions of time, were warranted for those carriers "whose . . . [Line Information Database] LIDB provider

Therefore, a delay in implementation due to vendor product availability is a recognized reason to grant waivers. As USWC has shown throughout this filing, we have substantial, credible evidence that the reason for the delay is due to extraordinary circumstances beyond our control and despite the vigilance of both USWC and the Western Region LLC in monitoring the performance of Perot.

V. LENGTH OF EXTENSION OF TIME AND PROPOSED
NEW DEPLOYMENT DATES

As the attached Affidavit of Timothy E. Mason (“Mason Affidavit”), USWC Director, Local Number Portability and Infrastructure Availability Center, makes clear, the time frames necessary for final LNP deployment will need to change because of the change in NPAC/SMS vendors. The slippage for Phase I is the most materially affected with respect to length of days in each phase. The additional time is needed in Phase I because it is the first Phase and the one in which “glitches” can be expected to make themselves apparent.

As is clear from the Mason Affidavit, USWC does not propose doing simultaneous interoperability testing or collapsing phases. Primarily, this is due to the fact that such testing requires specialized skills and USWC must test with numerous national, regional and local carriers in each Metropolitan Service Area (“MSA”). While carriers who test in the first MSA will need only to do abbreviated

is not yet ready to offer enhanced OLS service”); Memorandum Opinion and Order, 12 FCC Rcd. 11606, 11608 ¶ 5 (1997) (where an OLS LIDB-based service provider outlined the problems it was having in the loading of data; the learnings associated with on-line testing; the need for future software modifications); and id. at 11609 ¶ 7 (grant of requested extension would “permit [the vendor] to address the technical issues” raised).

testing in Phase II, there are a sufficient number of new carriers in Phase II who will require initial testing (testing which will occur utilizing two different Operating Support Systems ("OSS")),²⁵ to make the simultaneous pursuit of carrier to carrier testing in different MSAs impossible.

Below, each Phase is identified with the current Commission-mandated completion date (Current End Date), as well as USWC's Proposed End Date for the respective Phase. The "total number of days" requested under this Petition is also noted.

Phase	Current End Date	Proposed End Date	Length of Extension for this Phase
I	Mar. 31, 1998	July 17, 1998	108 days
II	May 15, 1998	Aug. 14, 1998	91 days
III	June 30, 1998	Sep. 21, 1998	83 days
IV	Sep. 30, 1998	Nov. 2, 1998	33 days
V	Dec. 31, 1998	Dec. 31, 1998	0

The above dates are correlated to the Commission's current mandated time line. If reconstructed to reflect actual deployment time after the presumed availability of a performance-ready NPAC/SMS on May 11, 1998, the amount of time USWC will have to complete LNP deployment is considerably shorter than the "length of extension" might otherwise suggest and considerably shorter than USWC would have had under the Commission's currently mandated schedule had Perot

²⁵ The OSS in Phoenix incorporates a legacy OSS from the old Mountain Bell Telephone Company; the one in Seattle is a legacy of Pacific Northwest Bell Telephone Company. See Mason Affidavit at ¶ 6(c) and n.2.

delivered a production-ready NPAC on December 15, 1997. The actual time available for deployment, as well as the amount of days USWC proposes to “compress” from the originally-approved deployment schedule is reflected below:

Phase	End Date	Proposed Deployment Time	Original Deployment Time	Days Compressed
I	July 17, 1998	67 days	105 days	38 days
II	Aug. 14, 1998	28 days	45 days	17 days
III	Sep. 21, 1998	38 days	46 days	8 days
IV	Nov. 2, 1998	42 days	92 days	50 days
V	Dec. 31, 1998	59 days	92 days	33 days

Viewed from this latter perspective, the “extension” USWC is requesting can be represented as: Phase I, 67 days; Phase II, 28 days; Phase III; 38 days; Phase IV, 42 days. This is certainly reasonable and does not represent an overly liberal request. Indeed, given the amount of compression that has been done from the originally-mandated deployment schedule, it is clearly an aggressive schedule. Furthermore, it is a schedule calculated to do minimum damage to other regions and carriers in the United States.

For the above reasons, USWC requests an extension of time to deploy LNP according to the above-outlined deployment schedule.

VI. PROCEDURAL MATTER REGARDING REQUESTED EXTENSION

As is obvious from the above description of USWC's deployment proposal, the dates targeted for start and completion of each Phase are aggressive.²⁶ As a matter of strict procedure, the current Petition for Extension of Time need only ask for an extension with respect to Phase I. Under the existing rules, a Petition for Extension of Time with respect to Phase II would not be required to be filed until 60 days before May 15th (or around March 15th). Similarly, a Petition would not be required to be filed for Phase III until around April 30th; Phase IV around July 31st; and -- if USWC's proposed schedule holds, no Petition would be necessary with respect to Phase V.

It is possible that the Bureau may determine that it is only appropriate to address the instant extension of time request with respect to Phase I. Obviously, such an approach would require that all affected carriers file repeated Petitions for Extension of Time as they get within 60 days of the completion dates currently mandated with respect to subsequent Phases.

We believe that it makes sense for the Bureau to rule on USWC's Petition as a whole, granting us the full spectrum of extensions reflected herein. Such would certainly be more efficient than requiring additional Petition filings in the future. **However**, should the Bureau take this approach, USWC would still expect to retain the ability to file Petitions for Extension of Time in the event we were unable

²⁶ See the Mason Affidavit at ¶ 13 for the start dates, as well as the end dates reflected above.

to complete any particular Phase by the date we outline above.²⁷ Furthermore, it is a certainty, since the timeframes between Phases II through IV are all less than 60 days, that an extension petition filed with respect to a granted USWC timetable could not be filed 60 days in advance. Thus, concomitantly with granting USWC's proposed timetable, the Bureau should waive the 60-day filing requirement at this time, requiring that carriers file as soon as possible if they are going to be unable to meet their represented (and granted) completion dates.

USWC believes that a "total package extension" would be the more efficient procedure and urge the Bureau to give it serious consideration.

VII. CONCLUSION

Having shown good cause for the instant Petition for Extension of Time, USWC respectfully requests that the Bureau expeditiously grant its request for modification of the implementation dates for the deployment of LNP, Phases I, II, III and IV as detailed above.

Respectfully submitted,

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²⁷ The start date associated with a Phase does not appear so material as the end date. Thus, even if there were a slippage of start date, USWC would not consider it necessary to file for an extension of time if the complete date were to be met.

ATTACHMENT 1

STATE OF COLORADO

COUNTY OF DENVER

AFFIDAVIT OF TIMOTHY E. MASON

I, Timothy E. Mason, first being duly sworn, hereby state that the following information is true and correct to the best of my knowledge, information and belief.

1. I submit the following information in support of the Petition for Extension of Time filed by U S WEST Communications, Inc., ("USWC") on March 2, 1998, seeking relief from the Federal Communications Commission ("FCC" or "Commission") mandates involving the deployment of Long Term Number Portability ("LNP") by incumbent local exchange carriers ("ILEC"), including USWC, according to a phased-in process to conclude by December 31, 1998. USWC will be unable to meet this requirement, in total. While the December 31, 1998 end-date will be met, the time frames associated with the specific Phases will require adjustment. USWC will be unable to meet the mandated completion dates for LNP deployment with respect to Phases I through IV.
2. While USWC's network will be technically capable of supporting service provider portability by the end of February, 1998, the entrance of other local exchange carriers ("LEC") (including competitive local exchange carriers ("CLEC")) into USWC's network via a reliable Number Portability Administration Center ("NPAC") Service Management System ("SMS") will be impossible according to the currently-mandated schedule. The reasons for the current situation with the NPAC/SMS are outlined more fully below and in the text of USWC's Petition.

Biographical Information

3. By way of background biographical information, I am an employee of USWC and have been so employed since 1981. Currently, I work in the Capacity Provisioning department. My title is Director, Local Number Portability and Infrastructure Availability Center. My current address is 700 W. Mineral, Room IA H12.13, Littleton, Colorado, 80120.
4. The position of Director, Local Number Portability was specifically created for the purpose of assuring compliance with the specifications of the Telecommunications Act of 1996, and federal and state regulations, as well as the outcomes of negotiations and arbitrations, as those activities relate to the implementation of LNP. In my current position, I have overall responsibility at USWC for all

planning, engineering, process development, and implementation of LNP to ensure compliance with the 1996 Act and all FCC mandates.

USWC Implementation of the Commission's Mandate of Number Portability

5. In this Affidavit, I review USWC's LNP Program Plan for complying with the Commission's mandates as they apply to LNP deployment. In the following paragraphs I will:
 - review the status of USWC's Program Plan;
 - review a modified Program Plan as necessitated by Perot Systems' ("Perot") inability to provide a production-ready NPAC and the subsequent selection of Lockheed-Martin as the new NPAC provider.

Status of USWC's Program Plan for Implementation of Number Portability

6. USWC's Program Plan is comprised of three Project Plans: Network, Operations and Systems.
 - a. The Network phase of the project includes preparing the network infrastructure (the switching and signaling components) for implementation of LNP. The Network plan is fundamentally on schedule. Switch replacements, generic updates, and feature enhancements necessary to complete the deployment of LNP in the first three mandated MSA's (i.e., Minneapolis, Seattle, and Phoenix) have taken place.¹ Similar activity is proceeding in the remaining MSA's and that activity is on schedule. The signaling network plan, as well, is on schedule.
 - b. The Operations phase consists of activities such as the development of Methods and Procedures for service delivery and order processing both within USWC and between USWC and other co-carriers. The Operations plan is on schedule, with methods and procedures developed and tested for the implementation of LNP. Training on these methods is scheduled to be done concurrently with the implementation schedule of the MSA.
 - c. The Systems phase consists of (1) modifying the Operations Support Systems ("OSS") hardware and software to interface with the NPAC/SMS, and (2) successfully testing the OSS interfaces with the NPAC/SMS. For the first part,

¹ Attached as Appendix A is an identification of the particular switches for which the USWC extension is being requested. The Commission should be advised that the list is "accurate" as of this filing, meaning that it identifies those switches where LNP has been requested. It is possible that further requests will be made.

updates/upgrades to U S WEST systems hardware and program software are complete. The second part of the Systems plan is not on schedule, due to the lack of access to a production-ready NPAC, the termination of Perot as the NPAC/SMS provider, and the recent selection of Lockheed-Martin as the new NPAC/SMS provider. As a result of the delayed delivery and acceptance of a production-ready NPAC/SMS, interoperability testing² is currently on hold. I will detail the modified dates for interoperability testing later in this Affidavit.

Selection of Lockheed-Martin as the NPAC Vendor

7. In early February, 1998, the Western Region LLC made its final assessment regarding the ability of Perot to deliver a production quality NPAC/SMS on July 6, 1998 (the most recently proposed delivery date by Perot). On February 9, 1998, the LLC voted to terminate its contract with Perot and to continue negotiations with Lockheed-Martin. On February 13, 1998 the Western Region LLC selected Lockheed-Martin as the Western Region NPAC/SMS provider and signed the contract.
8. A Master Contract with Lockheed-Martin has now been executed. An addendum to that contract requires a certified production-ready NPAC/SMS be available by May 11, 1998. To be production-ready, such an NPAC/SMS will need to do, at least, the following:
 - The software must have no material defects and some minor defects.
 - Within 60 days of the contract signing date, a plan to achieve 25 transactions per second must be completed.

Impact on USWC's Program Plan by the Change of Vendor

9. Perot's failure to deliver a production-ready NPAC/SMS platform that was stable, reliable, and functional is significant to USWC's LNP deployment. The NPAC is both the work center and the associated support systems that activate LNP between any two different Service Providers within the region. When a telephone number is moved from one Service Provider to another, the NPAC provides routing direction to the Local Service Management System ("LSMS") of the Service Provider that originally "owned" the number. This routing information is then passed to that Service Provider's LNP Service Control Point ("SCP"), which directs calls to that number to be re-routed to the new Service Provider's network. The NPAC will interface with each Western Region Service Provider's Local SMS. In order for the

² Interoperability testing is the testing USWC needs to do with the NPAC for each of its three regional sets of systems (Eastern, Central and Western). These are legacy systems from USWC's three predecessor Bell Operating Companies.

total system to work, each Service Provider's LSMS must interface cleanly and efficiently with the NPAC/SMS. Thus, the NPAC/SMS is the "hub" system that passes information between the Service Providers' LSMS systems. If an LSMS cannot communicate effectively with the NPAC/SMS, it will not be able to send or receive data to or from other Service Provider Systems. Absent this capability, LNP will not work between two Service Providers. Since each Service Provider is responsible for procuring its own LSMS software, it is essential that each Service Provider be able to test its LSMS software directly with the NPAC/SMS software prior to live implementation, to ensure that it can send and receive LNP data.

10. As a result of Perot's failure to deliver, USWC has not been able to fully validate the interactions/interoperability between its systems and the NPAC/SMS. While numerous tests were performed within the Eastern region, none of USWC's three regional systems has been completely tested. This is significant because USWC has three distinct sets of systems (Eastern, Central and Western - legacy systems from its predecessor Bell Operating Companies) that need to be tested. Since each system set is unique, USWC must conduct a full array of testing in each of its three regions to ensure that interoperability results are at a satisfactory level before proceeding to publicly roll out LNP in that region.
11. Because of the functionality of the NPAC/SMS, as described above, Carrier to Carrier³ testing cannot begin until the delivery of a stable NPAC system that conforms to the standards and requirements outlined by the industry.
12. Per the Lockheed-Martin contract proposal, the scheduled delivery and acceptance date for the NPAC/SMS that meets the contractual conditions of the contract is May 11, 1998. USWC has developed the following deployment plan based upon the May 11, 1998 delivery date. If that date is not met, the dates outlined below will need to be evaluated and most likely would slip out further into the future.
13. The following are the USWC proposed dates for each Phase of LNP deployment going forward:
 - a. *Interoperability Testing*
 - Eastern Region (Minneapolis): Starts 3/12/98; concludes 5/15/98
 - Western Region (Seattle) & Central Region (Phoenix): Starts 4/13/98; concludes 6/8/98

During this NPAC/SMS Interoperability Testing period, USWC will be able to access an NPAC/SMS test platform serving all Western Region LLC members as well as all of the LLC members from the Southeastern and West Coast Regions. Members of the three

³ Carrier to Carrier testing includes LEC to CLEC, CLEC to LEC, LEC to LEC and CLEC to CLEC testing.

regions will be conducting interoperability and certification tests between the Service Providers and Lockheed-Martin's NPAC/SMS. These are "closed system" tests, which are a necessary predicate to certifying the NPAC/SMS prior to carrier-to-carrier testing.

Prior to the production-live date, Lockheed Martin is required to provide the Western Region LLC with a production-ready NPAC/SMS platform which will serve only the Western Region LLC members.

As is clear from the above proposal, USWC does not propose simultaneous interoperability testing across all of its three regions. The specialized nature of the skills necessary to oversee interoperability testing and the nature of USWC's OSS render it impossible to pursue simultaneous deployment of LNP with respect to interoperability testing. Carrier to Carrier testing cannot begin within an MSA until the regional interoperability testing for the USWC region serving that MSA has been successfully completed, *i.e.*, Carrier to Carrier testing cannot begin in the Seattle MSA until the USWC Western region interoperability testing has completed. This disciplined progression from step to step also precludes any opportunity to deploy two phases simultaneously.

b. Carrier to Carrier Testing and Phased Deployment End Date

The following phases (which involve carrier to carrier testing) occur after the acceptance and availability of a production-ready NPAC/SMS on May 11, 1998. The week between May 11, 1998 and May 18, 1998 is reserved for returning the NPAC/SMS to a live network-ready status (versus a test status).

- Phase 1: Minneapolis MSA
Starts May 18, 1998; Completes July 17, 1998
- Phase 2: Phoenix & Seattle MSAs
Starts July 18, 1998; Completes August 14, 1998
- Phase 3: Denver & Portland MSAs
Starts August 15, 1998; Completes September 21, 1998⁴
- Phase 4: Salt Lake City & Tucson MSAs
Starts September 22, 1998; Completes November 2, 1998
- Phase 5: Albuquerque, Omaha & Tacoma MSAs
Starts November 3, 1998; Completes December 31, 1998

This new schedule still allows USWC to meet the Commission's mandate to complete all five phases by December 31, 1998. In addition, USWC plans to significantly reduce the

⁴ This assumes no work stoppage that might affect LNP deployment in Phase III.

time required to complete each Phase. The chart below compares the originally scheduled timeframes for Phases 1 to 5 to the currently-planned timeframes.